

70361 U.S. PTO



07/29/97

Docket: 622/42052DV

PATENTS

65431 U.S. PTO
08/902331
07/29/97

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Prior Application Serial No: 08/417,854

Filed: April 7, 1995

Examiner: N. NGUYEN

Group: 1109

Batch No: M49

Assistant Commissioner for Patents
Washington, D.C. 20231

July 29, 1997

Sir:

This is a request for filing a divisional application under 37 C.F.R. 1.60 of pending prior application Serial No. 08/417,854, filed April 7, 1995, of Pius GRUENENFELDER, Hans HIRSCHER, Urs SCHWENDENER and Walter HAAG, for MAGNETRON ATOMIZATION SOURCE AND METHOD OF USE THEREOF.

- X 1. Accompanying this order is a verified true copy of the prior application as originally filed with executed Declaration and Power of Attorney.
2. Please prepare a copy of the prior application.
- X 3. Cancel original Claims 1-33.
- X 4. The filing fee is calculated below:

CLAIMS AS FILED, INCLUDING ANY CLAIMS
CANCELLED OR ADDED BY PRELIMINARY AMENDMENT

Basic Fee		\$385		\$770
Total Claims	10 - 20 = 0	x 11 = \$	x 22 = \$	
Ind. Claims	3 - 3 = 0	x 40 = \$	x 80 = \$	
Multiple Dependent Claims		+ 130 = \$	+ 260 = \$	
		Total \$	Total \$	\$770

5. Please charge my Deposit Account No. 05-1323 (Docket #) in the amount of \$_.

204-192

X 6. A check in the amount of \$770.00 to cover the filing fee is enclosed.

 X 7. The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 05-1323 (Docket #622/42052DV).

 X Any additional filing fees required under 37 C.F.R. 1.16.

 X Any patent application processing fees under 37 C.F.R. 1.17.

 X 8. The Commissioner is hereby authorized to charge payment of the following fees during pendency of this application or credit any overpayment to Deposit Account No. 05-1323 (Docket #622/42052DV).

 X Any patent application processing fees under 37 C.F.R. 1.17.

 X Any filing fees under 37 C.F.R. 1.16 for presentation of extra claims.

 X 9. Amend the specification by inserting before the first line the sentence: --This is a divisional of application Serial No. 08/417,854, filed April 7, 1995.--

 10. A verified statement of small entity status (copy attached) was filed on , in the prior application and status as a small entity is still proper and desired.

 11. New formal drawings are being filed herewith, consisting of sheets(s), depicting Figures .

 X 12. Priority of Application No. 94105388.6, filed in the European Patent Office on April 7, 1994, is hereby claimed under 35 U.S.C. 119.

 X 13. A certified copy of each said priority document was filed in application Serial No. 08/417,854, on April 7, 1995.

 X 14. The prior application is assigned to Balzers Aktiengesellschaft (copy attached).

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66240.12220680

- X 15. The power of attorney in the prior application is to:

Herbert I. Cantor, Reg. No. 24,392; James F. McKeown, Reg. No. 25,406; Donald D. Evenson, Reg. No. 26,160; Joseph D. Evans, Reg. No. 26,269; Gary R. Edwards, Reg. No. 31,824; and Jeffrey D. Sanok, Reg. No. 32,169;

 X a. The power appears in the original application papers in the prior application.

 b. Since the power does not appear in the original application papers, a copy of the power in the prior application is enclosed.

 c. Attached is a duplicate of a Supplemental Declaration which was filed in the prior application to overcome informalities.

 X d. Address all future correspondence to:

EVENSON, McKEOWN, EDWARDS
& LENAHA, P.L.L.C.
1200 G Street, N.W.
Suite 700
Washington, DC 20005-3814

- X 16. Form PTO-892 and PTO-1449 listing prior art made of record in the prior application is attached. A copy of each of the listed references should be available in the prior application file.


- X 17. A Preliminary Amendment is being filed herewith.

- X 18. I hereby verify that the accompanying application papers are a true copy of prior application Serial No. 08/417,854, as originally filed on April 7, 1995.

The undersigned declares further that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or

imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Respectfully submitted,


James F. McKeown
Registration No. 25,406

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